

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

Claims 24-37 and 52-75 remain pending. Claims 24-37 and 52-75 have been rejected.

Claims 63 and 68 have been amended. No claims have been cancelled. Claims 76-86 have been added. Support for the amendments is found in the specification, the drawings, and in the claims as originally filed. Applicants submit that the amendments do not add new matter.

REJECTIONS UNDER 35 U.S.C. § 103

Claims 24-37 and 52-75 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,615,400 of Cowsar (“Cowsar”) in view of U.S. Patent No. 4,695,949 of Thatte (“Thatte”).

The Examiner stated that “Cowsar does not explicitly teach if the library implementation module is not in memory and scheduled to be unloaded from memory, then canceling the scheduled unloading of the library implementation module; and automatically scheduling the unloading the library implementation module; and unless the scheduled unload has been cancelled automatically unloading the library implementation module as scheduled wherein the software library is scheduled for unload and unloaded automatically without an explicit unload request from the application or software module”. (Office Action, pages 3-4, 02/09/06).

Cowsar teaches a system for managing code resources used by client applications. More specifically, Cowsar discloses that “the memory management system can unload function sets which are not in current use by any active applications” (col. 4, lines 43-45). In particular,

Cowsar discloses that “the segments of the shared library may be unloaded by the client” (col. 56, lines 31-33).

Thatte teaches counting of the memory blocks for garbage collection.

It is respectfully submitted that Cowsar does not teach or suggest a combination with Thatte, and Thatte does not teach or suggest a combination with Cowsar. Cowsar teaches using the code resources by client applications. Thatte, in contrast, teaches garbage collection of unused memory blocks. It would be impermissible hindsight based on Applicants’ own disclosure to combine Cowsar and Thatte.

It is respectfully submitted that if the segments of the shared library of Cowsar were unloaded without an explicit unload request from the client application, as the Examiner suggested, the client application would be damaged, and the invention of Cowsar used by the client application would not operate.

Furthermore, even if Cowsar and Thatte were combined, such a combination would lack the following limitations of claim 24: automatically unloading from memory the library implementation module after the execution of the library routine is completed. The combination does not disclose that “the software library is scheduled to be unloaded automatically without an explicit unload request from the application or other software module”. Additionally, a combination of Cowsar and Thatte would lack automatically unloading from memory the library implementation module after the execution of the library routine is completed while keeping the library loader in memory until the execution of the application or the other software module is completed, as recited in claim 24.

Therefore, Applicants respectfully submit that claim 24 is not obvious under 35 U.S.C. § 103(a) over Cowsar in view of Thatte.

Given that independent claims 27, 36, 59, 63, 64, 68, 74, and 75 contain the discussed or other related limitations, Applicants respectfully submit that claims 27, 36, 59, 63, 64, 68, 74, and 75 are not obvious under 35 U.S.C. § 103 (a) over Cowsar, in view of Tatte.

Given that claims 25-26, 28-35, 37, 65-67, and 69-73 depend from claims 24, 27, 36, 64, and 68 respectively, and add additional limitations, Applicants respectfully submit that claims 25-26, 28-35, 37, 65-67, and 69-73 are not obvious under 35 U.S.C. § 103 (a) over Cowsar, in view of Thatte.

With respect to claim 52, it is respectfully submitted that neither Cowsar, Thatte, nor a combination thereof, discloses, teaches, or suggests scheduling the unloading of the library implementation module after the execution of the library routine is completed, wherein said scheduling the unloading of the library implementation module includes setting a time delay and unloading the library implementation module if after said time delay has been meet, said library implementation module is into in use, as recited in claim 52.

Therefore, Applicants respectfully submit that claim 52 is not obvious under 35 U.S.C. § 103(a) over Cowsar in view of Thatte.

Because claim 60 contains the related limitations, Applicants respectfully submit that claim 60 is not obvious under 35 U.S.C. § 103(a) over Cowsar in view of Thatte.

With respect to claim 55, it is respectfully submitted that neither Cowsar, Thatte, nor a combination thereof, discloses, teaches, or suggests scheduling the unloading of the library implementation module after the execution of the library routine is completed, wherein said scheduling the unloading of the library implementation module includes setting an associated criteria based on system resources and unloading the library implementation module if after said associated criteria has been met, said library implementation module is not in use, as recited in claim 55.

Therefore, Applicants respectfully submit that claim 55 is not obvious under 35 U.S.C. § 103(a) over Cowsar in view of Thatte.

Because claims 56-58 contain the related limitations, Applicants respectfully submit that claims 56-58 are not obvious under 35 U.S.C. § 103(a) over Cowsar in view of Thatte.

New claims 76-86 are added to particularly point out that the software library is scheduled to be unloaded automatically without using a counting.

As set forth above, neither Cowsar, Thatte, nor a combination thereof, discloses, teaches, or suggests scheduling the unloading of the software library automatically without using a counting, as recited in new claims 76-86.

Therefore, Applicants respectfully submit that new claims 76-86 are not obvious under 35 U.S.C. § 103(a) over Cowsar in view of Thatte.


CONCLUSION

It is respectfully submitted that in view of the amendments and arguments set forth herein, the applicable rejections and objections have been overcome. If there are any additional charges, please charge Deposit Account No. 02-2666 for any fee deficiency that may be due.

Respectfully submitted,

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